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புதுச்சேரி மாநில அரசிதழ்

La Gazette de L' État de Poudouchéry

The Gazette of Puducherry

PART - II

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No. 71	Poudouchéry	Mercredi	7	Décembre	2022
No.	Puducherry	Wednesday	7th	December	2022

(16 Agrahayana 1944)

GOVERNMENT OF PUDUCHERRY

LAW DEPARTMENT

(G.O. Ms. No. 26/2022-LD., Puducherry, dated 02nd December 2022)

NOTIFICATION

Whereas, the Hon'ble High Court of Judicature at Madras *vide* R.O.C. No. 90106/2019/Pondy, dated 05-02-2020 of the Registrar-General, Hon'ble High Court of Judicature at Madras, has approved for the proposal for setting up of Fast Track Court for the offences under the Protection of Children from Sexual Offences (POCSO) Act, 2012, in Puducherry and has further directed the Chief Judge, Puducherry, to provide required particulars such as staff requirement, infrastructure and other requirements as mandated by the Hon'ble Supreme Court of India, in *suo moto* W.P.(Crl.) No. 1 of 2019, dated 25-07-2019 to the Government of Puducherry;

2. And whereas, the Hon'ble Chief Judge, Puducherry, has also provided the required particulars *vide* Letter No. 227/JD/A/2020, dated 02-03-2020 of the Judicial Department, Puducherry;

3. And whereas, the proposal for constitution of Fast Track Court exclusively to deal with the offences under the POCSO Act, 2012 in Puducherry was addressed to the Ministry of Home Affairs, Government of India, New Delhi *vide* Letter No. 374/2020-LD, dated 19-05-2020 of the Law Department, Government of Puducherry;

4. And whereas, the Department of Justice, Ministry of Law and Justice, Government of India *vide* Letter F.No. 15011/13/2020-Jus.-ll/5487, dated 20-01-2022 of the Department of Justice, Ministry of Law and Justice, New Delhi, has informed that the request for establishment of one exclusive POCSO Court, in the Union territory of Puducherry has been approved under the Centrally Sponsored Scheme for setting up of Fast Track Special Courts (FTSC);

5. And whereas, as per clause 6 of the Guidelines-2019 for the Scheme for setting up of Fast Track Special Courts (FTSC);

(i) FTSCs are set up for one year initially and continued up to March 2023 and the Scheme does not intend to create any permanent infrastructure. The Courts will be made functional in suitable premises taken on lease or as decided by the States/Union Territories and respective High Courts;

(ii) Each FTSC shall have one Judicial Officer and seven Staff Members. The Judicial Officer and staff shall work exclusively for disposal of Rape and POCSO Act, cases as per the Scheme. Additional charge of the FTSCs will not be given to any existing Judicial Officer or Court Staff;

(iii) The States/Union Territories may engage Judicial Officers and Court Staff on contractual basis, where, sufficient manpower is not available. Services of retired Judicial Officers with relevant experience may also be engaged to dispose of cases in the FTSCs;

(iv) The responsibility of setting up of FTSCs lies with the State and Union Territory Governments. The State/Union Territory Governments will take requirements from the High Courts and draw up an action plan of implementation;

(v) Each FTSC will exclusively handle pending cases of Rape and the POCSO Act. No other cases of crime against women and children should be transferred to these Courts;

(vi) FTSCs will function full-time;

(vii) FTSCs will be linked to National Judicial Data Grid.

6. And whereas, as per clause 8 of the Scheme Guidelines, the Scheme will be implemented by the State/Union Territory Governments and High Courts in close coordination and the State/Union Territory Governments will take requirements from High Courts and set up FTSCs, appoint Judicial Officers and staff and make necessary arrangements for functioning of these Courts;

7. And whereas, the details of the posts proposed by the Judicial Department for the constitution of Fast Track Court exclusively to deal with offences under the POCSO Act, in Puducherry is as detailed below:-

Sl. No.	Name of the Post	No. of the Posts to be created	Scale of Pay/Level in the Pay Matrix
(1)	(2)	(3)	(4)
1	District Judge	1	51,550-1,230-58,930-1,380-63,070 (as per All India Judicial Pay Commission)
2	Head Sarishtadar	1	Level-6
3	Sarishtadar	1	Level-6
4	Senior Grade Stenographer	1	Level-6
5	Senior Clerk	3	Level-4
6	Junior Clerk	4	Level-2
7	Typist	1	Level-2
8	Driver	1	Level-2
9	Multi Tasking Staff (Copyist/Amin)	2	Level-1
10	Multi Tasking Staff (General)	2	Level-1
	Total No. of posts	**17**	

8. And whereas, the segregation with respect to the category of the sanctioned seven Staff Members was requested from the Hon'ble High Court *vide* No. 374/2020-LD., dated 27-07-2022 of the Law Department, Government of Puducherry;

9. And whereas, the Hon'ble High Court *vide* R.O.C. No. 90106/2019/Pondy, dated 24-08-2022 of the Registrar-General, Hon'ble High Court of Judicature at Madras, has directed the Chief Judge, Puducherry, to segregate with respect to the category of the sanctioned seven Staff Members, as per clause 6 of the Scheme Guidelines-2019;

10. And whereas, the Judicial Department *vide* Letter No. 1055/JD/A/2022, dated 26-08-2022 of the Chief Judge, Puducherry, has furnished the segregation of the categories in respect of sanctioned seven numbers of Staff as follows:–

Sl. No.	Name of Post	No. of posts required
(1)	(2)	(3)
1	Senior Grade Stenographer	1
2	Senior Clerk	1
3	Junior Clerk	1
4	Typist	1
5	Driver	1
6	Multi Tasking Staff (General)	2
Total No. of Posts		**7**

11. And whereas, *vide* Letter No. 1173/JD/A/2022, dated 20-09-2022, the Judicial Department, Puducherry, has forwarded the R.O.C. No. 90106/2019/Pondy, dated 16-09-2022 of the Hon'ble High Court, Chennai. Wherein, the High Court has directed the Chief Judge, Puducherry, to address the Government of Puducherry for issuance of revised Orders for sanction of one Judicial Officer and 7 supporting Staff Members on regular basis, instead of contractual basis, for the

functioning of the newly constituted Fast Track Special Court exclusively to deal with offences under POCSO Act, 2012, in the Union territory of Puducherry;

12. And whereas, the Judicial Department, Puducherry, has addressed Letters, dated 20-09-2022 and 23-09-2022 to the Law Department, Puducherry and hence, considering the Letter received from the Chief Judge, Puducherry and the justifications furnished therein for creation of posts for Fast Track Court for POCSO cases on permanent basis, the Law Department has proposed for the issuance of the revised G.O. as requested by the Hon'ble High Court of Judicature at Madras as it is prevailing in the neighbouring State of Tamil Nadu that the Fast Track Court for POCSO cases are functioning with the Judicial Officer alongwith the staff on permanent basis;

13. And whereas, the earlier G.O. Ms. No. 16/2022-LD, dated 02-09-2022 of the Law Department, Government of Puducherry published *vide* Part-II of Extraordinary Gazette No. 50, dated 02-09-2022 of the Government of Puducherry sanctioning one Judicial Officer and seven Staff Members on contract basis may be superseded;

14. Now, therefore, in supersession of the G.O. Ms. No. 16/2022-LD, dated 02-09-2022 of the Law Department, Government of Puducherry, the Lieutenant-Governor, Puducherry, is pleased to sanction one post of Judicial Officer and seven posts of Staff Members for the constitution of Fast Track Court exclusively to deal with offences under the POCSO Act in the Union territory of Puducherry on permanent basis;

15. The expenditure is debitable from the New CSS Head – Central Share Head (60%) – "2014 – Administration of Justice – 103 – Special Courts – (01) – Setting up of Fast Track Court to deal with offences under the POCSO Act (CSS) – (01) – Puducherry Region – (50) – Other Charges"; State Share Head (40%) – "2014 – Administration of Justice – 103 – Special Courts – (02) – Setting up of Fast Track Court to deal with offences under the POCSO Act (CSS) – State Share – (01) – Puducherry Region – (50) – Other Charges" in the Budget of the Financial year.

16. This G.O. is issued with concurrence of the Finance Department *vide* their I.D. Note No. 1352/FD/F3/FC/2022-23, dated 17-11-2022.

(By order of the Lieutenant-Governor)

S. KARTHIKEYAN,
Secretary to Government (Law).

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